

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M., December 7, 2004

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the November 23, 2004 meeting
-

AWARDS AND PROCLAMATIONS

- Proclamations
 - Presenting Keys to the City: Lynette Woodard and Barry Sanders.
 - Recognition: Kansas City Public Improvement Awards, Cowskin Creek Water Quality Reclamation Facility.
-

CONSENT AGENDA

1. Report of the Board of Bids and Contracts Dated December 6, 2004.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

2. Application for License for Adult Entertainment Establishments/Services:

New Adult Entertainment

Ronald H. Groves

Party Store

9601 East Kellogg

RECOMMENDED ACTION: Approve license subject to Staff review and approval.

3. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2004</u>	<u>(Consumption on Premises)</u>
Guadalupe Cordova Eugene J. Pelz Haydee Raymundo	Chico's Restaurant* Siesta Steak & Lounge* Tacos Raymundo*	3949 West Douglas 15130 West HWY 54 1716 West 21st Street
<u>New Establishment</u>	<u>2004</u>	<u>(Consumption on Premises)</u>
Arturo Chavez	Mireles' Restaurant*	1859 North Waco
<u>New Operator</u>	<u>2004</u>	<u>(Consumption on Premises)</u>
Miguel Reyes	Los Reyes Steakhouse Mexican /American Buffet & Bakery*	3804 South Seneca

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

4. Preliminary Estimates:

- a) 29th Street North, from Maize Road to Tyler (87N-0294-01/472-83863/706868/204334) The contractor will be allowed to close 29th Street to thru traffic. The contractor, once he closes 29th Street, will have fifteen (15) calendar weeks to reopen it.. (District V) - \$3,301,850
- b) 2004 contract maintenance hot-in-place repaving, Phase 2 - 21st Street North from Ridge Road to Maize Road. (472-84121/132716/) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$450,000
- c) 2004 contract maintenance asphalt crack and base repair - 21st Street North from Ridge Road to Maize Road. (472-84122/132716/) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$94,000
- d) Water distribution system to serve Hawthorne 2nd & 3rd Additions - north of 21st Street North, east of 127th Street East. (448-89993/735220/470890) Does not affect existing traffic. (District II) - \$71,000
- e) Water distribution system to serve Hawthorne 3rd Addition - north of 21st Street North, east of 127th Street East. (448-89992/735223/470893) Does not affect existing traffic. (District II) - \$87,000
- f) Water distribution system to serve My House Addition - south of 55th Street South, west of Broadway. (448-89977/735216/470886) Does not affect existing traffic. (District IV) - \$49,000
- g) Lateral 499 Southwest Interceptor Sewer to serve My House Addition - south of 55th Street South, west of Broadway. (468-83835/744085/480773) Does not affect existing traffic. (District IV) - \$221,000
- h) Sidewalk along the west side of Reserve A to serve Reed's Cove Addition & Reed's Cove 2nd Addition - south of 21st Street North, east of 127th Street East. (472-84110/765909/490022) Does not affect existing traffic. (District II) - \$58,000

(Item 4 continued)

- i) Water distribution system, Phase 5 to serve Ridge Port Addition - north of 29th Street North, east of Ridge. (448-89826/735205/470875) Does not affect existing traffic. (District V) - \$14,000

RECOMMENDED ACTION: Approve and file.

5. Consideration of Street Closures/Uses: Downtown Holiday Lighting-December 7th –5:30 to 7:00 p.m.

- McLean, 1st/2nd to Douglas
- 1st/2nd, Waco to McLean
- Douglas, McLean to CII Drive
- Waco at Douglas, with local traffic on Waco

RECOMMENDED ACTION: Approve the request subject to: (1) event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) coordination of event arrangements with City Staff; (3) hiring off-duty public safety officers as required by the Police Department; (4) obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets.

6. Agreements/Contracts:

- a) 2005 Property, Liability and Excess Worker's Compensation Insurance Placement Services.
(Deferred November 23, 2004)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

7. Water Booster Pump Station Facility - West Maple. (District V)

RECOMMENDED ACTION: Approve the expenditures, adopt the Resolution, amend the CIP, and authorize the necessary signatures.

8. Office of Central Inspection Building Permit Fee Increase.

RECOMMENDED ACTION: Receive and file report on 15% OCI building permit fee increase.

9. Safety Award Program.

RECOMMENDED ACTION: Approve the safety award program and any necessary budget transfers.

10. Property Acquisition:

- a) Portions of the abandoned Union Pacific Rail Corridor for the Midtown Greenway. (District VI)
- b) Part of 4910 East Central: Oliver to Woodlawn. (Districts I and II)
- c) Part of 4802 East Central for Central: Oliver to Woodlawn. (Districts I and II)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

11. Sale of Surplus Property:

- a) Located at the southwest corner of Hillside and 33rd Street North. (District I)
- b) Located at the northeast corner of Seneca and McCormick. (District IV)

RECOMMENDED ACTION: Approve sale and Contracts; authorize necessary signatures.

12. Second Reading Ordinance (First read November 23, 2004).

- a) Acquisition by eminent domain of tracts required for runway approach protection at Mid-Continent Airport.

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way-therein, for the purpose of preserving the runway approach protection zone for Mid-Continent Airport in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the City Attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof.

RECOMMENDED ACTION: Adopt Ordinance.

NEW BUSINESS

13. Reconsideration of Letter of Intent for Industrial Revenue Bonds, Genesis Health Clubs. (Districts V & VI)

On November 16, 2004, the City Council approved a revised Economic Development Incentive Policy that establishes new guidelines for recommending the approval of incentives, including IRBs and property tax abatements. In light of the new policy and the action to deny the Fitness 2000 letter of intent, several City Council Members have sought to have the Genesis IRB letter of intent reconsidered.

RECOMMENDED ACTION: Take the appropriate action.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

14. *SUB2004-83-Plat of Clarkdale Fourth Addition, Located North of 63rd Street South and on the East Side of Seneca. (District IV)

RECOMMENDED ACTION: Approve the documents and plat, authorize the necessary signatures, adopt the resolution and place the ordinance on first reading.

15. *SUB2004-97-Plat of The Fairmont Third Addition, Located on the West Side of 127th Street East and North of 21st Street North. (District II)

RECOMMENDED ACTION: Approve the documents and plat, authorize the necessary signatures and adopt the resolution.

16. *WaterWalk Redevelopment Project, Memorandum of Agreement with State Historic Preservation Office.

RECOMMENDED ACTION: Authorize the Mayor to sign the Memorandum of Agreement.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the Wichita Airport Authority and the members of the governing body are the members of the Wichita Airport Authority for consideration and action on Items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

*Consent Items

17. *Payment of Condemnation Award (Case No. 03 CV 3655)-Jabara Airport Runway Protection. (District II)

RECOMMENDED ACTION: Approve the budget; adopt the resolution; and Authorize payment to the Clerk of the District Court in the amount of \$271,611 for acquisition Of property interests condemned in Case No. 03 CV 3655.

Adjournment